

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

RUEBEN RAY SMITHERMAN,)

Plaintiff,)

v.)

CASE NO. 2:05-cv-1222

PENNSYLVANIA LIFE INSURANCE)

COMPANY, individually and as successor)

in interest to EXECUTIVE FUND LIFE)

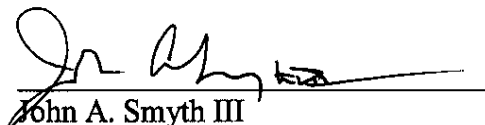
INSURANCE COMPANY,)

Defendant.)

UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT

Defendant Pennsylvania Life Insurance Company moves for an extension of time to file a responsive pleading to the Complaint in this action until Monday, February 6, 2006. Defendant has conferred with Plaintiffs' counsel regarding this request and Plaintiffs' counsel has no objection. A proposed order granting this extension of time to respond is attached hereto for the Court's consideration.

Respectfully submitted this 23rd day of January 2006.



John A. Smyth III
Attorney for Defendant
Pennsylvania Life Insurance Company

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person(s) by placing a copy of same in the United States mail, postage prepaid and properly addressed, this the 23rd day of January, 2006.

Robert G. Methvin Jr.
J. Matthew Stephens
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OF COUNSEL

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INSURANCE COMPANY,)

Defendant.)

ORDER GRANTING EXTENSION OF TIME TO RESPOND TO COMPLAINT

Pending before the Court is an Unopposed Motion for Extension of Time to Respond filed by Defendant Pennsylvania Life Insurance Company. Having considered the Motion, the Court finds it is due to be Granted and Defendant is given until Monday, February 6, 2006 to file a responsive pleading to the Complaint in this action.

Ordered this ____ day of _____ 2006.

US DISTRICT COURT JUDGE